

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TREVON STOKLEY,	:	CIVIL ACTION
Plaintiff,	:	
v.	:	
	:	
BRISTOL BOROUGH SCHOOL	:	
DISTRICT, <i>et al.</i> ,	:	
Defendants.	:	No. 13-3277

ORDER

AND NOW, this 13th day of March, 2014, upon consideration of Defendants' Motion for Summary Judgment (Docket No. 25) and Plaintiff's Opposition thereto (Docket No. 28), it is hereby **ORDERED** that the Motion (Docket No. 25) is **GRANTED in part and DENIED in part** as follows:

1. All claims against Defendants Erica Corbezzolo and Roger Roth are **DISMISSED**.
2. All claims for punitive damages are **DISMISSED**.
3. The remainder of Defendants' Motion is **DENIED**.¹

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

¹ Defendants argue that individuals are not liable for violations of Title VI and that punitive damages are not available under the statute, and Mr. Stokley does not oppose those arguments. Thus, the Court grants Defendants' motion with respect to those arguments.

Defendants also contend that the Title VI claim is barred by the statute of limitations. They admit, however, that Mr. Stokley was not 18 at the time the claim accrued, that he turned 18 within two years of bringing suit, and that Pennsylvania has a minor tolling statute that tolls the running of the statute of limitations until a plaintiff reaches the age of majority. *See* Pa. C.S. § 5533. Although there is a scarcity of case law applying the minor tolling statute in the Title VI context, the Third Circuit Court of Appeals did apply it to toll the statute of limitations in a § 1983 action, which borrows the same Pennsylvania personal injury statute of limitations as do Title VI actions. *See Lake v. Arnold*, 232 F.3d 360 (3d Cir. 2000). Defendants provide no argument as to why the Court should not extend the holding in *Lake* to the case at hand, and the Court can think of no rationale that would justify taking a tack differing from *Lake*. Thus, Defendants' motion, insofar as it seeks dismissal of Plaintiff's claims on statute of limitations grounds, is denied.